

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK  
MAY 23 2006

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MARK WILLIAM LANE,

Plaintiff,

- against -

THE DEPARTMENT OF JUSTICE, FEDERAL  
BUREAU OF INVESTIGATION, NATIONAL  
ARCHIVES AND RECORDS ADMINISTRATION,  
NATIONAL SECURITY AGENCY, CENTRAL  
INTELLIGENCE AGENCY, THE UNITED STATES  
ARMY, THE OFFICE OF PROFESSIONAL  
DISCIPLINE, and THE OFFICE OF THE PRESIDENT  
OF THE UNITED STATES,

Defendants.  
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**ORDER**

1:02-CV-06555-ENV-VVP

**VITALIANO, D.J.**

On April 7, 2006 Magistrate Judge Victor V. Pohorelsky issued a Report and Recommendation in the above-captioned action recommending that the defendants' motion to dismiss the plaintiff's complaint be granted. No objections to Magistrate Pohorelsky's Report and Recommendation have been timely filed.

In reviewing a Report and Recommendation, this court "may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Moreover, in order to accept a magistrate judge's Report and Recommendation where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." *Urena v. New York*, 160 F.Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting *Nelson v. Smith*, 618 F.Supp. 1186, 1189 (S.D.N.Y. 1985)).

Magistrate Pohorelsky's Report and Recommendation is comprehensive and well-reasoned. Because this court, after careful review, finds no clear error in the Report and Recommendation, the court therefore adopts the Report and Recommendation in its entirety as the opinion of the court. Accordingly, for the reasons stated therein, it is ORDERED that the defendants' motion to dismiss the complaint or for summary judgment is granted.

DATED: Brooklyn, New York  
May 18, 2006

SO ORDERED. /

s/ENV

  
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ERIC N. VITALIANO  
United States District Judge